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August 27, 2012

Hon. Catherine C. Blake
United States District Court
for the District of Maryland
101 W. Lombard Street
Baltimore, MD 21201

Re: *United States v. David Aaron Rice*
Crim. No. CCB-06-0321

Dear Judge Blake:

I write to request that the Court dismiss the petition on supervised release pending against Mr. Rice and enter an order modifying his conditions of supervised release.

The petition alleges that Mr. Rice has failed to pay \$100 in monthly restitution payments on a regular basis since his release from prison in November 2009. Aside from this failure to make regular payments, Mr. Rice has performed very well on supervised release. He is a well-known musician in the Baltimore area, and he is committed to his profession. His income, however, is sporadic, which explains why he has not consistently met his restitution obligations. Given the relatively innocuous nature of this violation, and his strong performance on supervised release, United States Probation Officer Joyce McBride, Assistant United States Attorney Harry Gruber, and I believe that a dismissal of the petition and a modification of supervised release conditions is an appropriate resolution in this case.

We, therefore, respectfully request that the Court dismiss the petition and enter an order requiring Mr. Rice to make monthly restitution payments in the amount of \$50. I have enclosed a proposed order. If the Court grants this request, the violation hearing scheduled for September 12, 2012, may be removed from the Court's calendar. If the Court would prefer to hear from the parties on this matter, we will, of course, appear for the hearing.

Very truly yours,

/s/

Deborah L. Boardman
Assistant Federal Public Defender

Enclosure

cc: Harry Gruber, AUSA
Joyce McBride, USPO